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Filing date: **05/28/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91200834
Party	Plaintiff Chicago Cubs Baseball Club, LLC
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Date	05/28/2014
Attachments	C and Car Design (USAA); Opp No. 91200834; Mot Amend 05282014.pdf(264402 bytes) C and Home Design (USAA); Opp No. 91203117; Mot Amend 05282014.pdf(358708 bytes)

Ref. No. 21307.011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
IN THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 85/037,368
Filed: May 13, 2010
For Mark: Auto Circle Design
Published in the Official Gazette: January 25, 2011

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CHICAGO CUBS BASEBALL CLUB, LLC,	:	
Opposer,	:	Opposition No. 91200834
	:	
v.	:	
	:	
UNITED SERVICES AUTOMOBILE	:	
ASSOCIATION,	:	
Applicant.	:	
-----X	:	

Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

**MOTION ON CONSENT TO AMEND APPLICATION AND,
IF ACCEPTED TO WITHDRAW THE OPPOSITION ON CONSENT**

Pursuant to Rule 2.133 of the Trademark Rules of Practice, Applicant respectfully requests that the above-captioned application be amended by adding the bolded language: “; **all the foregoing not relating to sports or a sports team, league, mascot or stadium**” to the end of the description of services in each class of services, which should now read:

MARKETING AND ADVERTISING SERVICES FOR AUTOMOBILE DEALERSHIPS; PROVIDING INFORMATION ABOUT AUTOMOBILES FOR SALE BY MEANS OF THE INTERNET; LOCATING PRE-OWNED VEHICLES AVAILABLE FOR PURCHASE OR LEASE; PROVIDING AN ONLINE DIRECTORY INFORMATION SERVICE FEATURING INFORMATION REGARDING VEHICLES IN THE NATURE OF CLASSIFIED ADVERTISEMENTS; PROVIDING INFORMATION ON VEHICLES FOR SALE VIA A GLOBAL COMMUNICATIONS NETWORK, NAMELY, VEHICLE VALUATIONS; AND CLASSIFIED ADVERTISING SERVICES FOR AUTOMOBILES; **ALL THE**

FOREGOING NOT RELATING TO SPORTS OR A SPORTS TEAM, LEAGUE, MASCOT OR STADIUM in International Class 35

FINANCIAL SERVICES, NAMELY, BANKING AND LOAN SERVICES; INSURANCE SERVICES, NAMELY, UNDERWRITING, ISSUING AND ADMINISTRATION OF AUTO INSURANCE; INSURANCE ADVICE, NAMELY, PROVIDING ADVICE IN THE FIELD OF AUTO INSURANCE; INSURANCE ANALYSIS, NAMELY, AUTO INSURANCE ANALYSIS SERVICES; INSURANCE CONSULTATION SERVICES; INSURANCE RESEARCH SERVICES, NAMELY, AUTO INSURANCE RESEARCH SERVICES; PROVIDING INSURANCE RATE QUOTES FOR AUTO INSURANCE; INSURANCE LOSS CONTROL PLANNING AND MANAGEMENT SERVICES; INSURANCE AGENCY AND BROKERAGE SERVICES; INSURANCE SERVICES, NAMELY, UNDERWRITING EXTENDED WARRANTY CONTRACTS IN THE FIELD OF AUTOMOBILES; AND PROVIDING VEHICLE SERVICE AGREEMENTS ON VEHICLES MANUFACTURED BY OTHERS FOR MECHANICAL BREAKDOWN AND SERVICING; **ALL THE FOREGOING NOT RELATING TO SPORTS OR A SPORTS TEAM, LEAGUE, MASCOT OR STADIUM** in International Class 36

VEHICLE MAINTENANCE ASSISTANCE SERVICES, NAMELY, REPAIR SERVICES; **ALL THE FOREGOING NOT RELATING TO SPORTS OR A SPORTS TEAM, LEAGUE, MASCOT OR STADIUM** in International Class 37

PROVIDING A MEMBERS-ONLY WEBSITE FEATURING TECHNOLOGY WHICH PROVIDES MEMBERS WITH THE ABILITY TO ACCESS MULTIPLE DATABASES AND AUTOMOBILE INDUSTRY SERVICES FOR THE PURPOSE OF CONDUCTING AUTOMOBILE PURCHASE AND SALE TRANSACTIONS; AND COMPUTER SERVICES, NAMELY, HOSTING AN INTERACTIVE WEB SITE THAT ALLOWS USERS TO UPLOAD, STORE AND MAINTAIN AUTOMOTIVE REPAIR RECORDS, MANAGE ONLINE RECORDS OF SERVICES PERFORMED ON THEIR VEHICLES, AND RECEIVE AUTOMATED SERVICE REMINDERS, SAFETY ALERTS, RECALL ALERTS, AND SPECIAL DISCOUNT OFFERS; **ALL THE FOREGOING NOT RELATING TO SPORTS OR A SPORTS TEAM, LEAGUE, MASCOT OR STADIUM** in International Class 42

It is respectfully submitted that these amendments do not require republication as the amendments of the description of services narrow rather than broaden the scope of the application.

These amendments are made pursuant to an Agreement between Applicant and Opposer, who has consented to these amendments. If the amendments are all approved by the Board, Opposer, with Applicant's consent, requests that the opposition be withdrawn without prejudice.

Ref. No. 21307.011


CONCLUSION

Applicant respectfully requests that this request to amend the application be granted in its entirety.

Dated: May 28, 2019

Respectfully submitted,


PIRKEY BARBER PLLC
Attorneys for Applicant


By: Wendy C. Larson
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ATTORNEYS FOR APPLICANT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
IN THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 85/060,475
Filed: June 11, 2010
For Mark: Home Circle Design
Published in the Official Gazette: June 28, 2011

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CHICAGO CUBS BASEBALL CLUB, LLC, Opposer,	Opposition No. 91203117
v.	
UNITED SERVICES AUTOMOBILE ASSOCIATION, Applicant.	
-----X	

Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

**MOTION ON CONSENT TO AMEND APPLICATION AND,
IF ACCEPTED TO WITHDRAW THE OPPOSITION ON CONSENT**

Pursuant to Rule 2.133 of the Trademark Rules of Practice, Applicant respectfully requests that the above-captioned application be amended by adding the bolded language:

“; all the foregoing not relating to sports or a sports team, league, mascot or stadium” to the end of the description of services in each class of services, which should now read:

REAL ESTATE ADVERTISING SERVICES; MATCHING CONSUMERS WITH REAL ESTATE PROFESSIONALS IN THE FIELD OF REAL ESTATE SERVICES VIA COMPUTER NETWORK; HOME WARRANTY SERVICES, NAMELY, ARRANGING FOR REPAIRS AND REPLACEMENT OF MAJOR HOME SYSTEMS, APPLIANCES AND PARTS THEREOF PROVIDED BY OTHERS PURSUANT TO SERVICE AGREEMENTS; MOVING AND RELOCATION SERVICES, NAMELY, PLANNING AND PROJECT

OVERSIGHT OF HOME MOVING FOR OTHERS IN THE NATURE OF INITIATION, TERMINATION, TRANSFER AND PURCHASE OF UTILITIES AND OTHER SERVICES AND PRODUCTS, NAMELY, ELECTRICITY, NATURAL GAS, METERED WATER, LOCAL TELEPHONE, LONG DISTANCE TELEPHONE, CABLE TELEVISION, SATELLITE TELEVISION, DIAL-UP INTERNET ACCESS, CABLE INTERNET ACCESS, BROADBAND, WIRELESS AND CELLULAR TELEPHONE, SECURITY SYSTEM MONITORING, CHANGE OF ADDRESS, POST OFFICE BOX RENTAL, FURNITURE, FURNITURE RENTAL, APPLIANCE, APPLIANCE RENTALS, STORAGE FACILITY RENTAL, MOVING COMPANY SERVICES, PET CARE, CHILD CARE, BOTTLED WATER, MAGAZINES, LOCAL NEWSPAPERS, NATIONAL NEWSPAPERS, GENERAL DELIVERY SERVICES, GROCERY DELIVERY, PARKING, CLUB MEMBERSHIPS, AUTOMOBILE AND TRUCK RENTAL, DRY CLEANING, PREPARED FOOD DELIVERY, INSURANCE, HOUSEKEEPING SERVICES, DRIVER'S LICENSE RENEWAL, AUTOMOBILE REGISTRATION, AUTOMOBILE TOLL ROAD PASSES, VOTER REGISTRATION, FINANCIAL SERVICES, BANKING SERVICES, WAKE UP/REMINDER SERVICES, REPAIR AND MAINTENANCE, TOGETHER WITH ANY SUBSETS AND COMBINATIONS OF SUCH SERVICES, ALL OF WHICH ARE PROVIDED VIA THE GLOBAL COMPUTER NETWORK TO RESIDENTS AND PERSONS INTENDING TO BECOME RESIDENTS OF MULTI-FAMILY RESIDENTIAL HOUSING COMMUNITIES, COOPERATIVES, CONDOMINIUMS AND OTHER SIMILAR FACILITIES, AND RESIDENTS AND PERSONS INTENDING TO BECOME RESIDENTS OF SINGLE FAMILY RESIDENCES; PROVIDING AN INTERACTIVE REAL ESTATE WEBSITE WHICH PROMOTES HOUSING PROPERTIES THROUGH OFFERING PROSPECTIVE TENANTS VIDEO WALK THROUGHs, PROPERTY DESCRIPTIONS, TEXT, PRICE, LOCATION, MAPS AND OTHER INFORMATION THAT WOULD BE INFLUENTIAL TO A PROSPECTIVE TENANT IN MAKING A RENTAL DECISION; PROVIDING REFERRALS IN THE FIELD OF HOME RENOVATIONS AND REPAIRS; AND MOVING AND RELOCATION SERVICES, NAMELY, PLANNING AND IMPLEMENTING MOVES OF HOMES FOR OTHERS; **ALL THE FOREGOING NOT RELATING TO SPORTS OR A SPORTS TEAM, LEAGUE, MASCOT OR STADIUM** in International Class 35

REAL ESTATE SERVICES, NAMELY, AGENCY SERVICES; REAL ESTATE SERVICE, NAMELY, RENTAL PROPERTY MANAGEMENT; REAL ESTATE SERVICES, NAMELY, REAL ESTATE CONSULTATION AND BROKERAGE; REAL ESTATE FINANCING SERVICES; PROVIDING INFORMATION IN THE FIELD OF REAL ESTATE VIA THE INTERNET; PROVIDING A DATABASE OF INFORMATION ABOUT RESIDENTIAL REAL ESTATE LISTINGS IN DIFFERENT NEIGHBORHOODS AND COMMUNITIES; INSURANCE SERVICES, NAMELY, UNDERWRITING, ISSUING AND ADMINISTRATION OF ALL TYPES OF INSURANCES;

INSURANCE ADVICE, NAMELY, PROVIDING ADVICE IN THE FIELD OF PROPERTY, CASUALTY, AND LIFE INSURANCE; INSURANCE ANALYSIS, NAMELY, PROPERTY, CASUALTY, AND LIFE INSURANCE ANALYSIS SERVICES; INSURANCE CONSULTATION SERVICES; INSURANCE RESEARCH SERVICES, NAMELY, PROPERTY, CASUALTY, AND LIFE INSURANCE RESEARCH SERVICES; PROVIDING INSURANCE RATE QUOTES FOR ALL TYPES OF INSURANCE; INSURANCE LOSS CONTROL PLANNING AND MANAGEMENT SERVICES; INSURANCE AGENCY AND BROKERAGE SERVICES; FINANCIAL SERVICES, NAMELY, BANKING AND LOAN SERVICES; AND REAL ESTATE VALUATION SERVICES; **ALL THE FOREGOING NOT RELATING TO SPORTS OR A SPORTS TEAM, LEAGUE, MASCOT OR STADIUM** in International Class 36

HOME INSPECTION SERVICES PRIOR TO PURCHASE AND FOR PURPOSES OF HOME REPAIR AND RESTORATION; **ALL THE FOREGOING NOT RELATING TO SPORTS OR A SPORTS TEAM, LEAGUE, MASCOT OR STADIUM** in International Class 42

HOME SECURITY MONITORING USING WIRELESS AND WIRED SENSORS FOR GLASS BREAKAGE, MOTION DETECTORS, CAMERAS, POOL ALARMS, WATER ALARMS AND SHUTOFF VALVES, GATE, DOOR AND WINDOW CONTACT SENSORS, SEVERE WEATHER ALARMS; **ALL THE FOREGOING NOT RELATING TO SPORTS OR A SPORTS TEAM, LEAGUE, MASCOT OR STADIUM** in International Class 45

It is respectfully submitted that these amendments do not require republication as the amendments of the description of services narrow rather than broaden the scope of the application.

These amendments are made pursuant to an Agreement between Applicant and Opposer, who has consented to these amendments. If the amendments are all approved by the Board, Opposer, with Applicant's consent, requests that the opposition be withdrawn without prejudice.


CONCLUSION

Applicant respectfully requests that this request to amend the application be granted in its entirety.

Dated: 5/28, 2014


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